

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBIN RECAN, _____

Plaintiff,

-against-

DESALES ASSISTED LIVING CORP, et al.,

Defendants. _____

24-CV-8330 (LTS)

ORDER DENYING IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Leave to proceed in this Court without prepayment of fees is denied because Plaintiff has sufficient assets to pay the fees.¹ *See* 28 U.S.C. § 1915(a)(1). Plaintiff is directed to pay \$405.00 in fees – a \$350.00 filing fee and a \$55.00 administrative fee – within 30 days of the date of this order. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed without prejudice to refiling.

SO ORDERED.

Dated: November 4, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge

¹ In an action Plaintiff filed in this court on May 24, 2024, Plaintiff submitted an *in forma pauperis* (“IFP”) application, seeking waiver of the filing fees. *Recant v. Day*, No. 24-CV-4117 (JHR) (RFT) (S.D.N.Y.). In the IFP application, Plaintiff stated that she had \$27,000 in a savings account. The Court denied Plaintiff’s IFP application, and Plaintiff paid the \$405.00 in fees on June 4, 2024. In this new action, Plaintiff states that she currently has \$6,000 in her savings account. Plaintiff is advised that the Court must dismiss an action if an allegation of poverty is untrue. *See* 28 U.S.C. § 1915(e)(2)(A).